

We can turn coal into liquid fuel. That's what our Department of Defense wants. We can turn coal into clean burning electricity. That's what the environmentalists want. But is there anything for coal in this bill? No.

If you vote for this Democrat bill, you are voting against coal. It's our largest resource that we have in this country. We are the Saudi Arabia of coal. We do not use it fully, you all know it. Speaker PELOSI hates coal, hates it, and that's why it's not in this bill.

#### COAL IS PART OF THE ENERGY SOLUTION

(Mrs. CAPITO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPITO. Mr. Speaker, I represent an energy State, West Virginia. We give every day. We have abundant resources of coal and natural gas. We understand energy.

Coal is one of our Nation's most abundant resources, and any truly comprehensive energy policy must include coal. This bill does not. It is not all-of-the-above.

We have more coal under our feet than the Middle East has oil. I've sponsored legislation, coal-to-liquid. It holds great promise for helping us towards our energy independence, but such investment received lip service from the leadership of this Congress. In fact, the disdain for coal among congressional leadership is well known across this Nation.

It's time we stood up and had a vote on a real bipartisan energy bill that includes coal as part of the solution.

You know what? The American public is frustrated. They're tired of this bickering. They want us to work as Republicans and Democrats in a bipartisan way to solve this issue. We need an energy plan that works for the American people. We also need an energy plan that's actually going to get signed into law. This one doesn't have a bit of hope.

#### WE MUST SOLVE THIS ENERGY CRISIS

(Mr. MANZULLO asked and was given permission to address the House for 1 minute.)

Mr. MANZULLO. Mr. Speaker, America faces an energy crisis that threatens the livelihood of the people we represent. Every day they get up to go to work, many people wonder whether or not they can afford the gas for their tanks. And to compound it, the high cost of energy is destroying manufacturing jobs in our country. My largest city is at 11 percent unemployment. Many manufacturing facilities have been hit because of the high cost of energy; they simply cannot compete.

Today, we debate an energy bill that further compounds the problem. Last night, the Democrats filed a bill that

gives the illusion of opening up our coast to drilling, but really continues to keep those areas closed, with no opportunity to debate it.

Last May, I authored a 12-point gas relief plan that incorporates more domestic production of oil, conservation, and new fuel and vehicle technologies. Until these technologies come online, we have to increase our supply of oil to give us the relief that we need, to give us the time that we need.

We have enough oil now in order to fuel 60 million cars for 60 years. Does that mean that we use it all up? Of course we don't. We simply need this as an opportunity for breathing time until we can develop these new technologies.

The time had come to put partisanship aside and solve this issue on behalf of the American people.

#### PERMISSION FOR MEMBERS TO ADDRESS THE HOUSE FOR 1 MINUTE

Mr. PENCE. Mr. Speaker, I ask unanimous consent that every Member who has not spoken be allowed to address the House for 1 minute.

The SPEAKER pro tempore. Recognition for requests to address the House for 1 minute rests in the discretion of the Chair. The gentleman's request on behalf of others will not be entertained.

#### MOTION TO ADJOURN

Mr. PENCE. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. PENCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 11, nays 393, not voting 29, as follows:

[Roll No. 592]

#### YEAS—11

Bartlett (MD)  
Cannon  
Carter  
Doolittle

English (PA)  
Gingrey  
Johnson, Sam  
Linder

Petri  
Sessions  
Shimkus

#### NAYS—393

Abercrombie  
Ackerman  
Akin  
Alexander  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Bachmann  
Bachus  
Baird  
Baldwin  
Barrow  
Barton (TX)  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Biggert

Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boren  
Boswell  
Boustany  
Boyd (FL)  
Boyd (KS)  
Brady (PA)  
Braley (IA)  
Broun (GA)  
Brown (SC)

Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Butterfield  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Cantor  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Castle  
Castor

Cazayoux  
Chabot  
Chandler  
Childers  
Clarke  
Clay  
Cleaever  
Clyburn  
Coble  
Cohen  
Cole (OK)  
Conaway  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crenshaw  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis, David  
Davis, Lincoln  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Doggett  
Donnelly  
Doyle  
Drake  
Duncan  
Edwards (MD)  
Edwards (TX)  
Ellison  
Ellsworth  
Emanuel  
Emerson  
Engel  
Eshoo  
Etheridge  
Everett  
Fallin  
Farr  
Fattah  
Feeney  
Ferguson  
Filner  
Flake  
Forbes  
Fortenberry  
Fossella  
Foster  
Fox  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Giffords  
Gilchrest  
Gillibrand  
Gohmert  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Hall (TX)  
Hare  
Harman  
Hastings (FL)  
Hastings (WA)  
Hayes  
Heller  
Hensarling  
Herger  
Herseth Sandlin  
Higgins  
Hill  
Hinchey  
Hinojosa

Hirono  
Hobson  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Hulshof  
Hunter  
Inglis (SC)  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jefferson  
Johnson (GA)  
Johnson, E. B.  
Jones (NC)  
Jordan  
Kagen  
Kanjorski  
Kaptur  
Keller  
Kennedy  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klein (FL)  
Kline (MN)  
Knollenberg  
Kucinich  
Kuhl (NY)  
LaHood  
Lamborn  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Lipinski  
LoBiondo  
Loebach  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maloney (NY)  
Manzullo  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCollum (MN)  
McCotter  
McCrery  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
Rodgers  
McNerney  
McNulty  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)

Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nunes  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Pascarelli  
Pastor  
Payne  
Pearce  
Pence  
Perlmutter  
Peterson (MN)  
Pickering  
Platts  
Pomeroy  
Porter  
Price (GA)  
Price (NC)  
Putnam  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Reyes  
Reynolds  
Richardson  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roskam  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sali  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Saxton  
Scalise  
Schakowsky  
Schiff  
Schmidt  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sestak  
Shadegg  
Shays  
Shea-Porter  
Sherman  
Shuler  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (WA)  
Snyder  
Solis  
Souder  
Space  
Speier  
Spratt  
Stark  
Stearns  
Stupak  
Sullivan  
Tancredo  
Tanner  
Tauscher  
Taylor  
Terry

Thompson (CA)	Walden (OR)	Wexler
Thompson (MS)	Walsh (NY)	Whitfield (KY)
Thornberry	Walz (MN)	Wilson (NM)
Tiahrt	Wamp	Wilson (OH)
Tiberi	Wasserman	Wilson (SC)
Tierney	Schultz	Wittman (VA)
Towns	Waters	Wolf
Tsongas	Watson	Woolsey
Turner	Watt	Wu
Udall (NM)	Weiner	Yarmuth
Upton	Weldon (FL)	Young (AK)
Van Hollen	Weller	Young (FL)
Visclosky	Westmoreland	

## NOT VOTING—29

Aderholt	Jackson-Lee	Poe
Barrett (SC)	(TX)	Pryce (OH)
Boucher	Johnson (IL)	Renzi
Brady (TX)	Lampson	Smith (TX)
Cubin	Mahoney (FL)	Sutton
Culberson	McCaull (TX)	Udall (CO)
Delahunt	Neugebauer	Velázquez
Dingell	Paul	Walberg
Dreier	Peterson (PA)	Waxman
Ehlers	Pitts	Welch (VT)

□ 1222

Messrs. DONNELLY, TIERNEY, BISHOP of New York, CLEAVER, SHADEGG, CLYBURN, CARSON of Indiana, PAYNE and DAVIS of Illinois and Mrs. MUSGRAVE, Mrs. McMORRIS RODGERS and Ms. SCHAKOWSKY changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

#### PROVIDING FOR CONSIDERATION OF H.R. 6899, COMPREHENSIVE AMERICAN ENERGY SECURITY AND CONSUMER PROTECTION ACT

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1433 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 1433

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6899) to advance the national security interests of the United States by reducing its dependency on oil through renewable and clean, alternative fuel technologies while building a bridge to the future through expanded access to Federal oil and natural gas resources, revising the relationship between the oil and gas industry and the consumers who own those resources and deserve a fair return from the development of publicly owned oil and gas, ending tax subsidies for large oil and gas companies, and facilitating energy efficiencies in the building, housing, and transportation sectors, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions of the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit.

SEC. 2. During consideration of H.R. 6899 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

## POINT OF ORDER

Mr. CANTOR. Mr. Speaker, I make a point of order against consideration of the resolution because it is in violation of section 426(a) of the Congressional Budget Act. The resolution provides that all points of order against consideration of the bill are waived except those arising under clause 9 and 10 of rule XXI. This waiver of all points of order includes a waiver of section 425 of the Congressional Budget Act, which causes the resolution to be in violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Virginia makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated. Such a point of order is disposed of by the question of consideration.

The gentleman from Virginia (Mr. CANTOR) and the gentlewoman from New York (Ms. SLAUGHTER) each will control 10 minutes of debate on the question of consideration.

After that debate, the Chair will put the question of consideration, to wit: Will the House now consider the resolution?

The Chair recognizes the gentleman from Virginia.

Mr. CANTOR. Mr. Speaker, last night, the Committee on Ways and Means certified that the underlying legislation contained no earmarks, and under the rules there is no other way to challenge that certification, which is one of the reasons why I stand before you today.

Provisions in H.R. 6899 calling for the restructuring of the New York Liberty Bonds is clearly an earmark. This earmark is worth \$1.2 billion and stands to benefit one entity, which is New York City.

I have a letter, Mr. Speaker, dated October 30, 2007, from the chief of staff of the Joint Committee on Taxation in which he determines that the New York Liberty Zone tax incentives is a limited tax benefit and therefore an earmark. Furthermore, Mr. Speaker, according to House rule XXI, clause 9, and the Honest Leadership and Open Government Act of 2007, this earmark should have been disclosed along with the Member that requested the same.

From all reports, Mr. Speaker, instead of going through the proper procedure, disclosing that this was going to be included in the bill, this provision was air-dropped into the bill over the weekend at the last minute without any ability for any of the Members to know that this was in the bill.

Reports say that it is the chairman of the Ways and Means Committee, Representative RANGEL, that has requested this earmark. Yet how are we to know whether Chairman RANGEL is the sponsor of this earmark, since there has been no transparency and no notification as required under the rule?

Furthermore, Mr. Speaker, this earmark produces no energy for American families, and the way that the majority plans to pay for this earmark is by raising taxes on job creation as well as energy production.

Mr. Speaker, we are going to hear a lot today during the debate about revenue sharing and the fact that many coastal States, including my State of Virginia, will not be able to share in any of the revenues resulting from energy exploration off our coast. In light of this, in light of the fact that there is no incentive whatsoever to produce energy in this bill, in light of that, when we see that the majority is channeling \$1.2 billion to New York City for an earmark for a project that only benefits that locality, I think that we understand now what the intent of the majority is in bringing the bill to the floor in this form.

There is zero relationship between increasing American energy production and this earmark, Mr. Speaker, which again underlies my objection and is one of the reasons why I raise this point of order.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the point of order is about whether to consider the rule and ultimately the Comprehensive American Energy Security and Consumer Protection Act. In fact, I would say this is simply an effort to kill the bill.

In the midst of the energy crisis, the bill takes important steps towards increasing domestic energy production, encouraging the development of alternative fuels and cutting down on the corruption between the Bush administration regulators and the oil industry.

By expanding access to offshore oil reserves, the bill encourages oil exploration and could lead to increased domestic energy production.

By releasing oil from the Strategic Petroleum Reserve, the bill will lead quickly to reducing prices at the pump.

In light of an Inspector General report showing that Minerals Management Service employees were accepting gifts from the oil companies they regulate, engaging in unethical sexual and drug conduct, this bill would subject the MMS employees to higher ethical standards and make it a Federal offense for oil companies to provide gifts for MMS employees.

□ 1230

By promoting energy efficiency and conservation in buildings, through updated building codes and incentives for energy-efficient construction, this bill will lead to reduced energy use and lower utility bills. At the same time, by providing more funding for home heating assistance, we ensure that seniors and other vulnerable populations will not have to choose between food and heating oil.